

## **The New Jersey State Uniform Construction Code**

### **What It Is**

The New Jersey State Uniform Construction Code (UCC) Act, which was signed into law in 1975, authorizes the Commissioner of the Department of Community Affairs to adopt and enforce rules pertaining to construction codes and provides for the administration and enforcement of those rules throughout the State. The Uniform Construction Code (N.J.A.C. 5:23), which was promulgated in 1977, contains the UCC Act and all rules issued under the Act relating to the administration and enforcement of construction regulations.

The UCC is comprised of four basic technical subcodes for construction: building, electrical, fire protection, and plumbing. In addition, the UCC contains technical subcodes for fuel gas installations; mechanical installations; one- and two-family dwellings; accessible (barrier free) construction; the rehabilitation of existing buildings; the construction of manufactured homes; asbestos hazard abatement; radon hazard abatement; and playground safety.

In short, the UCC is a complete set of technical standards for construction with a uniform method of administration and enforcement.

### **How It Works**

For each technical subcode of the UCC, the Department adopts by reference national model construction codes, which, in turn, contain references to national performance technical standards used in construction. The technical standards contain more detailed specifications for a particular aspect of construction. The national model codes incorporate by reference standards that are appropriate to their subject. For example, the adopted building subcode for New Jersey is the 2000 edition of the International Building Code (IBC/2000), which references technical standards that are developed and published by such organizations as the American National Standards Institute, the American Society of Testing and Materials, and the National Fire Protection Association and that apply to accessibility, heating and ventilation, and fire sprinkler requirements.

The UCC provides one stop service at the local level. A construction permit is required for a construction project. This permit includes technical subcode applications for building, electrical, fire protection, mechanical, or plumbing work.

A construction permit is required for any new construction as well as for work on existing buildings, including structural, plumbing, mechanical, and electrical work. There are some exceptions to the general permit requirement. For example, construction permits are not required for ordinary maintenance, which includes routine repair.

Property owners or contractors are responsible for obtaining construction permits and for submitting any required fees. The State adopts a fee schedule that applies to work performed by the State and to work performed in municipalities where the Department serves as the local enforcing agency. Municipalities adopt their own fee schedules by

ordinance. Information about fee schedules for an individual municipality may be obtained from that local enforcing agency.

Applications for construction permits are submitted to local enforcing agencies. Under the UCC, local enforcing agencies are required to act on construction permit applications, including building plans and specifications, within specific timeframes. Not later than 20 business days after the submission of a complete application, the permit application must be approved or denied.

Construction work may begin when the construction permit is issued. If plans and specifications have been submitted with the construction permit application, the plans and specifications must be released before the permit is issued.

During construction, the code official or inspector conducts regular inspections to ensure that the work performed complies with the UCC. The permit applicant is responsible for notifying the local enforcing agency that the project is ready for inspection. The inspection must be performed within three days of the notification.

As the construction project approaches completion, the permit applicant notifies the local enforcing agency that it is ready for the final inspections. At this time, the permit applicant also applies for a Certificate of Occupancy. When the project has passed the final inspections and it has been determined that the project complies with the UCC, that all required fees have been paid, and that the conditions of any prior approvals have been met, the construction official issues a Certificate of Occupancy. A Certificate of Occupancy verifies that the construction work authorized by the construction permit has been completed in accordance with the UCC.

A Temporary Certificate of Occupancy (TCO) may be issued if the work is substantially complete, there are no outstanding health or safety issues and the building or space can be occupied safely. A TCO is issued for a defined period of time during which any remaining items are to be completed. The TCO may be renewed if additional time is needed.

### **Who Enforces It**

In New Jersey, State-licensed, municipally employed code enforcement professionals--construction officials, subcode officials, and inspectors--are responsible for the enforcement of the UCC. A construction official is a State-licensed code enforcement official who is responsible for administering the UCC within the jurisdiction of the enforcing agency. Construction officials oversee subcode officials and inspectors, but a construction official cannot overrule a subcode official on a technical issue in a field in which the construction official does not hold a license. A subcode official is a State-licensed code enforcement official who implements the provisions of a specific technical subcode of the UCC and oversees the technical and administrative provisions of that subcode. Inspectors are State-licensed code enforcement officials who enforce the requirements of a specific technical subcode under the supervision of a subcode official.

The primary responsibility of code enforcement professionals is to protect the health, safety, and welfare of New Jersey's citizens. To accomplish this, construction officials and subcode officials review construction permit applications to ensure that building plans and specifications conform to the UCC and inspectors perform field inspections for construction projects to ensure that the construction is in accordance with the UCC.

In certain instances, the State has responsibility for code enforcement. For certain categories of buildings, the State performs the plan review while the local enforcing agency retains the responsibility for performing the field inspections. These include casinos and hospitals. For State-owned buildings and in municipalities where the Department serves as the local code enforcement agency, the Department performs both plan review and inspections. This is the case for Abbott school projects undertaken by the SCC.